

In re application of : Confirmation No. 4810

Shinnen KOBATA et al. : Attorney Docket No. 2003_1519

Serial No. 10/689,619 : Group Art Unit 1775

Filed October 22, 2003 : Examiner G. Blackwell

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THE COMMISSIONER IS AUTHORIZED

REQUEST FOR RECONSIDERATION CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Reconsideration is respectfully requested in view of the amendments to the claims filed on April 27, 2006 which are formally entered upon the filing of the instant RCE.

In addition, reconsideration is respectfully requested in view of the following remarks in response to the Advisory Action.

The Examiner states "Applicant asserts that triethyleneglycol-di-2-ethylbutylene (3GH) of Kondo et al. is not a dispersant. 3GH can act as a dispersant as particles are dispersed in a small amount of 3GH that is subsequently added to a larger solution. Applicant has not demonstrated that it cannot act as a dispersant."

However, claim 29 as now amended requires the dispersant to be selected from the group consisting of:

- (a) a chelating agent,
- (b) a compound with at least one carboxyl group at its terminal position,
- (c) a carboxyl modified silicone oil,
- (d) a sulfate compound, and
- (e) a polyalcohol surfactant.

Kondo et al. disclose phosphoric acid esters, polyether esters and fatty acid esters

which can be used as plasticizers as well as 3GH. However, Kondo et al. fail to disclose or suggest the specific dispersants of claim 29 which are structurally different and chemically distinct from the compounds of Kondo et al. Accordingly, the rejection of claims 29-32, 34, 40 and 43-50 under 35 USC 102 as anticipated by Kondo et al. is untenable as applied to the amended claims and should be withdrawn.

Regarding the former grounds of rejection of the former claims under 35 USC 103, these grounds of rejection as applied to the amended claims will be obviated by a Rule 132 Declaration to be filed in the near future according to the suggestion of the Examiner in the Advisory Action.

Favorable consideration is respectfully solicited.

Respectfully submitted,

Shinnen KOBATA et al.

By:

Warren M. Cheek, Jr. Registration No. 33,367 Attorney for Applicants

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

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July 26, 2006

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PATENT OFFICE FEE TRANSMITTAL FORMUNI NO. 23-0975.

Commissioner for Patents

P.O. Box 1450

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Alexandria, VA 22313-1450

Sir:

Attached hereto is a check in the amount of \$1,810.00 to cover Patent Office fees relating to filing the following attached papers:

Additional Claims Fee: Excess of Twenty \$ Independent\$ Multiple Dependent Fee \$

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Shinnen KOBATA et al.

Warren M. Cheek, Jr. Registration No. 33,367

Warchech

Attorney for Applicants

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